



16974-493

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8 UNITED STATES BANKRUPTCY COURT

9 CENTRAL DISTRICT OF CALIFORNIA, SAN FERNANDO VALLEY DIVISION

10 In re:

11 JAMES R. FILLMAN and ELSIE O.  
12 FILLMAN,

13 Debtors.

) Case No. SV 00-18466-AG  
) Chapter 7

) TRUSTEE'S NOTICE OF MOTION FOR  
) AUTHORITY TO SELL THE ESTATE'S  
) RIGHT, TITLE AND INTEREST IN REAL  
) PROPERTY TO THE DEBTORS (2210  
) Duvall Street, Los Angeles, California 90031)

) Date: December 12, 2001  
) Time: 10:30 a.m.  
) Ctrm: 302

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18 PLEASE TAKE NOTICE that on December 12, 2001, at 10:30 a.m., before the  
19 Honorable Arthur M. Greenwald, United States Bankruptcy Judge, in Courtroom "302"  
20 of the United States Bankruptcy Court, Central District of California, located at 21041  
21 Burbank Boulevard, Woodland Hills, California 91367, Byron Z. Moldo, Chapter 7  
22 Trustee (hereinafter "Trustee"), will and hereby does move the Court for an order,  
23 pursuant to 11 U.S.C. § 363(b), approving the sale by the Trustee of the Bankruptcy  
24 Estate's right, title and interests in the following real property: 2210 Duvall Street, Los  
25 Angeles, California 90031 (the "Property"). The Property consists of a single family  
26 residence.

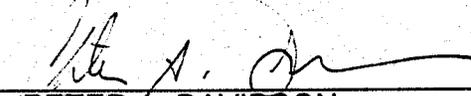
1 The Trustee has received an offer from the Debtors to purchase the Estate's  
2 right, title and interest in the Property for \$11,650.00; which offer the Trustee has  
3 accepted. The sale of the Estate's interest in the Property will be on an "as-is, where-  
4 is" basis, without representations and/or warranties of any kind. The complete terms  
5 of the sale and a description of the Property are on file with the Court and may be  
6 reviewed in the Clerk's Office of the United States Bankruptcy Court, Central District  
7 of California located at 21041 Burbank Boulevard, Woodland Hills, California 91367.

8 The Trustee believes the proposed sale is in the best interest of the Estate and  
9 should be approved by the Court.

10 The Trustee's Motion will be based upon this Notice of Motion, the Motion, the  
11 Memorandum of Points and Authorities and the Declaration of Byron Z. Moldo  
12 attached to the Motion, and upon such other evidence and argument that shall be  
13 presented to the Court at the time of the hearing.

14 Pursuant to Local Bankruptcy Rule 9013-1(1)(g), any opposition or objection to  
15 the relief requested in the Motion must be submitted in writing and served on counsel  
16 for the Trustee and filed with the Bankruptcy Court, Clerk's office, no later than  
17 fourteen (14) days prior to the scheduled hearing date. Any opposition or objection  
18 not timely filed and served may be deemed by the Court to be consent to the granting  
19 of the relief requested in the Motion.

20 DATED: November 16, 2001 REIN EVANS & SESTANOVICH, LLP

21 By:   
22 \_\_\_\_\_  
23 PETER A. DAVIDSON  
24 Attorneys for Byron Z. Moldo,  
25 Chapter 7 Trustee

26 DATE OF MAILING VIA FIRST CLASS MAIL:

27 November, 16, 2001

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2 **PROOF OF SERVICE**

3 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

4 I am employed in the county of Los Angeles, State of California. I am over the age of 18 and  
5 not a party to the within action; my business address is Dressler Rein Evans & Sestanovich LLP,  
6 1925 Century Park East, 16<sup>th</sup> Floor, Los Angeles, California 90067.

7 On November 16, 2001 I served the foregoing document described as: **TRUSTEE'S**  
8 **NOTICE OF MOTION FOR AUTHORITY TO SELL ESTATE'S RIGHT, TITLE AND**  
9 **INTEREST IN REAL PROPERTY (2210 DUVALL STREET, LOS ANGELES,**  
10 **CALIFORNIA 90031) on all interested parties in this action, as follows:**

11 **SEE ATTACHED SERVICE LIST**

12  **BY MAIL**

13  I caused such envelope to be deposited in the mail at Los Angeles, California.

14  By placing an original or a copy, as appropriate for the parties involved and document  
15 described, in a separate envelope, with postage fully prepaid, for each addressee, for  
16 collection and mailing on the date indicated following the ordinary business practices at the  
17 Law Offices of Rein Evans & Sestanovich LLP, 1925 Century Park East, Los Angeles, CA  
18 90067-2717. I certify I am familiar with the ordinary business practices of my place of  
19 employment with regard to collection for mailing with the United States Postal Service.

20  (Federal) I declare that I am employed in the office of a member of the bar of  
21 this court at whose direction the service was made.

22 Executed on November 16, 2001.

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\_\_\_\_\_  
NITA J. SPARKES